UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,324	10/27/2000	Hanna Abi-Saleh	60976-0038-US	6705

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EXAMINER
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ART UNIT	PAPER NUMBER
2625	

DATE MAILED: 03/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Interview Summary	Application No.	Applicant(s)
	09/699,324	ABI-SALEH, HANNA
	Examiner	Art Unit
	King Y. Poon	2625

All participants (applicant, applicant's representative, PTO personnel):

(1) *Gary S. Willams (31,066)*.

(3)*King Y. Poon*.

(2) *Yalei Sun (57765)*.

(4)_____.

Date of Interview: *15 March 2006*.

Type: a)☒ Telephonic   b)☐ Video Conference
c)☐ Personal [copy given to: 1)☐ applicant   2)☐ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes   e)☒ No.
If Yes, brief description: _____.

Claim(s) discussed: *proposed amendment*.

Identification of prior art discussed: _____.

Agreement with respect to the claims f)☐ was reached. g)☒ was not reached. h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: *discussed the invention and the proposed amendment*.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

KING Y. POON
PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record
A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews
Paragraph (b)
In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.
All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:
- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:
1) A brief description of the nature of any exhibit shown or any demonstration conducted,
2) an identification of the claims discussed,
3) an identification of the specific prior art discussed,
4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
5) a brief identification of the general thrust of the principal arguments presented to the examiner,
   (The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
6) a general indication of any other pertinent matters discussed, and
7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Proposed Amendment

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Hanna Abi-Saleh	Confirmation No.: 6705
Serial No.: 09/699,324	Art Unit: 2624
Filed: October 27, 2000	Examiner: Poon, King Y.
For: *Apparatus And Method For Automatically Learning Control Sequences Of Application Programs*	Attorney Docket No.: 60976-0038-US Date:

RESPONSE TO OFFICE ACTION
(DRAFTED FOR THE INTERVIEW SCHEDULED FOR MARCH 15, 2006)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

Applicant hereby responds to the Office Action dated January 10, 2006 for the above identified patent application. This response is being filed with a Request for Continued Examination.

The Commissioner is hereby authorized to charge any required fee(s) to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (order no. 60976-0038-US). A copy of this sheet is enclosed for such purpose.

IN THE CLAIMS:

Rewrite the pending claims as follows:

1. (Currently Amended) A method of automatically ~~learning control sequences~~ registering variable settings associated with a plurality of computer application programs, comprising:

supplying a data structure;

~~extracting a first set of control sequences~~ while executing a first computer application program to perform a first task, automatically extracting a first set of variable settings in addition to performing the first task;

~~extracting a second set of control sequences~~ while executing a second computer application program to perform a second task, automatically extracting a second set of variable settings in addition to performing the second task;

loading said first set of ~~control sequences~~ variable settings and said second set of ~~control sequences~~ variable settings into said data structure so as to associate said first set of ~~control sequences~~ variable settings with said first computer application program and said second set of ~~control sequences~~ variable settings with said second computer application program; and

executing said first and second computer application programs using said first and second sets of ~~control sequences~~ variable settings in said data structure to perform said first and second tasks automatically.

2. (Currently Amended) The method of claim 1, wherein said executing step includes:

using said first set of ~~control sequences~~ variable settings to open said first computer application program;

using said first set of ~~control sequences~~ variable settings to perform a subroutine of said first computer application program; and

using said first set of ~~control sequences~~ variable settings to close said computer application program.

3. (Currently Amended) The method of claim 1 further comprising:

including a graphical user interface to prompt a user for selected ~~control sequences~~ variable settings.

4. (Original) The method of claim 3 further comprising:

including a spread sheet in said graphical user interface.

5. (Currently Amended) The method of claim 1 wherein said first set of ~~control sequences~~ variable settings includes a ~~control sequence~~ variable setting to run said first computer application program.

6. (Currently Amended) The method of claim 1 wherein said first set of ~~control sequences~~ variable settings includes a ~~control sequence~~ variable setting to open said first computer application program.

7. (Currently Amended) The method of claim 1 wherein said first set of ~~control sequences~~ variable settings includes a ~~control sequence~~ variable setting to close said first computer application program.

8. (Currently Amended) The method of claim 1 wherein said first set of ~~control sequences~~ variable settings includes a ~~control sequence~~ variable setting to open a document within said first computer application program.

9. (Currently Amended) The method of claim 1 wherein said first set of ~~control sequences~~ variable settings includes a ~~control sequence~~ variable setting to print a document associated with said first computer application program.

10. (Currently Amended) The method of claim 1 wherein said first set of ~~control sequences~~ variable settings includes a ~~control sequence~~ variable setting to close a document associated with said first computer application program.

11. (Currently Amended) A computer program product for use in conjunction with a computer system, the computer program product for automatically ~~learning control sequences~~ registering variable settings of a plurality of computer application programs, the computer program product comprising a computer readable storage medium and a computer program

mechanism embedded therein, the computer program mechanism comprising:

a data structure;

~~instructions to extract a first set of control sequences~~ while executing a first computer application program to perform a first task, instructions to automatically extract a first set of variable settings in addition to performing the first task;

~~instructions to extract a second set of control sequences~~ while executing a second computer application program to perform a second task, instructions to automatically extract a second set of variable settings in addition to performing the second task;

instructions to load said first set of ~~control sequences~~ variable settings and said second set of ~~control sequences~~ variable settings into said data structure so as to associate said first set of ~~control sequences~~ variable settings with said first computer application program and said second set of ~~control sequences~~ variable settings with said second computer application program; and

instructions to execute said first and second computer application programs using said first and second sets of ~~control sequences~~ variable settings in said data structure to perform said first and second tasks automatically.

12. (Currently Amended) The computer program product of claim 11, wherein said instructions to execute further include:

instructions to use said first set of ~~control sequences~~ variable settings to open said first computer application program;

instructions to use said first set of ~~control sequences~~ variable settings to perform a subroutine of said first computer application program; and

instructions to use said first set of ~~control sequences~~ variable settings to close said first computer application program.

13. (Original) The computer program product of claim 11 further comprising:

instructions to display a graphical user interface.

14. (Original) The computer program product of claim 13 further comprising:

instructions to include a spread sheet in said graphical user interface.

15. (Currently Amended) The computer program product of claim 11 wherein said first set of ~~control sequences~~ variable settings includes a ~~control sequence~~ variable setting to run said first computer application program.

16. (Currently Amended) The computer program product of claim 11 wherein said first set of ~~control sequences~~ variable settings includes a ~~control sequence~~ variable setting to open said first computer application program.

17. (Currently Amended) The computer program product of claim 11 wherein said first set of ~~control sequences~~ variable settings includes a ~~control sequence~~ variable setting to close said first computer application program.

18. (Currently Amended) The computer program product of claim 11 wherein said first set of ~~control sequences~~ variable settings includes a ~~control sequence~~ variable setting to open a document associated with said first computer application program.

19. (Currently Amended) The computer program product of claim 11 wherein said first set of ~~control sequences~~ variable settings includes a ~~control sequence~~ variable setting to print a document associated with said first computer application program.

20. (Currently Amended) The computer program product of claim 11, wherein said first set of ~~control sequences~~ variable settings includes a ~~control sequence~~ variable setting to close a document associated with said first computer application program.

21. (Currently Amended) The computer program product of claim 11, wherein said instructions to extract a first set of ~~control sequences~~ variable settings from a first computer application program further include instructions to detect whether said first computer application program includes a graphical user display with a menu bar.

22. (Currently Amended) The computer program product of claim 21, wherein said instructions to extract further include instructions to extract a first ~~control sequence~~ variable

setting corresponding to a second ~~control sequence~~ <u>variable setting</u> executed when menu items are selected from said menu bar.

<u>REMARKS</u>

This amendment responds to the Office Action mailed January 10, 2006. In the office action the Examiner rejected claims 1-22 under 35 U.S.C. 102(a, b) as anticipated by Pitt III et al. (US 5,675,520).

After entry of this amendment, the pending claims are: claims 1-22.

<u>Claims 1-10</u>

Claim 1, as amended, has five key elements:

- "supplying a data structure"

In computer science, a data structure is a way of storing data in a computer so that it can be used efficiently. Often a carefully-chosen data structure will allow a more efficient algorithm to be used. In other words, a data structure is essentially a logical unit that can be implemented within different types of computer hardware, such as hard drive, memory, etc.

The Examiner contends that the memory system 30 of Pitt inherently acts as a data structure. Applicant respectfully disagrees. The term computer memory refers to the parts of a digital computer which retain physical state (data) for some interval of time. Therefore, the memory system always refers to a physical device, not a logical unit.

- "while executing a first computer application program to perform a first task, automatically extracting a first set of variable settings in addition to performing the first task"

In the present application, the variable settings are **automatically** extracted when the first computer program is being executed.

But Pitt (col. 3, lines 63-67 and FIG. 1) is directed to the generic operation of a computer system. CPU performs one and only one task of executing program instructions provided by the operating system. When the operating system provides application program instructions, CPU executes the application program instructions. Pitt does not teach that CPU performs any other task, such as automatically extracting a set of variable settings while executing the application program instructions.

As shown in page 33 and FIG. 4A of the present application, variable settings refer to multiple pairs of (variable, value) associated with an application program. For example, APPEXE 104 is a variable and MSWORKS.EXE is the variable's value in the embodiment

shown in FIG. 4A. Pitt does not teach or suggest anything related to variable settings associated with an application program. Actually, there is no single occurrence of the terms "variable", "setting", "variable setting" or the like.

- "while executing a second computer application program to perform a second task, automatically extracting a second set of variable settings in addition to performing the second task"

Same as above.

- "loading said first set of variable settings and said second set of variable settings into said data structure so as to associate said first set of variable settings with said first computer application program and said second set of variable settings with said second computer application program"

In the present application, the two sets of extracted variable settings are stored in the data structure and associated with their respective computer application program. The variable settings are data associated with an application program. They are not program instructions and they cannot be loaded into memory and prepared for execution.

As noted above, a data structure is different from a memory system. Pitt (col. 5, lines 62-67 and FIG. 2) teaches the method of loading an application program, not variable settings, into the memory system and then executing its program instructions accordingly. As mentioned earlier, there is no teaching in Pitt related to variable settings at all.

- "executing said first and second computer application programs using said first and second sets of variable settings in said data structure to perform said first and second tasks automatically"

Pitt (col. 4, lines 58-63 and FIG. 2) discloses a list of basic operating system functions, including file management, task scheduling, virtual memory operations, program loading and termination, and intertask communication. These functions are usually referred to as "system operation", not "application program." Moreover, none of the system operations involve the use of variable settings since there is no teaching in Pitt related to variable settings.

Therefore, claims 1-10 are not anticipated by the Pitt reference.

Claims 11-22

Claim 11, as amended, and its dependent claims are not anticipated by the Pitt reference for at least the same reasons as those discussed above with respect to claim 1.

Conclusion

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney if a telephone call could help resolve any remaining items.

Respectfully submitted,

Date: _____

_____ 31,066
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